

Joseph E. Jaramillo, 178566  
 GOLDSTEIN DEMCHAK BALLER BORGAN AND  
 DARDARIAN  
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FILED  
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 PHASE 1  
 U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

SCHEID, et al

Plaintiff(s)

v.

FREMONT GENERAL CORPORATION, et al

Defendant(s)

CASE NUMBER:

07-06063 CRB

PROOF OF SERVICE  
 SUMMONS AND COMPLAINT

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- a. ☒ summons ☒ complaint ☐ alias summons ☐ first amended complaint  
☐ second amended complaint  
☐ third amended complaint

☒ other (specify): - see attached list -

BY FAX

2. Person served:

- a. ☒ Defendant (name): FREMONT GENERAL CORPORATION, et al  
 b. ☒ Other (specify name and title or relationship to the party/business named):  
 David Brody - Person in charge of Office  
 c. ☒ Address where papers were served: 2425 Olympic Blvd 3rd FL, Santa Monica CA 90404

3. Manner of Service in compliance with (the appropriate box must be checked):

- a. ☐ Federal Rules of Civil Procedure  
 b. ☒ California Code of Civil Procedure

4. I served the person named in Item 2:

- a. ☐ By Personal service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.  
 1. ☐ Papers were served on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  
 b. ☒ By Substituted service. By leaving copies:  
 1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.  
 2. ☒ (business) or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.  
 3. ☒ Papers were served on (date): 12/12/2007 at (time): 16:54  
 4. ☒ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).  
 5. ☒ papers were mailed on (date): 12.13.2007  
 6. ☐ due diligence. I made at least three (3) attempts to personally serve the defendant.

PROOF OF SERVICE - SUMMONS AND COMPLAINT

- c. ☐ **Mail and acknowledgment of service.** By mailing (*by first-class mail or airmail, postage prepaid*) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (**Attach completed Waiver of Service of Summons and Complaint**).
- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☒ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (*by first-class mail, postage prepaid*) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. (**Attach a copy of the order to this Proof of Service**).
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (*by first-class mail, postage prepaid, requiring a return receipt*) copies to the person served. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- h. ☐ **Other** (specify code section and type of service):

5. Service upon the **United States, and Its Agencies, Corporations or Officers.**

- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: (date): \_\_\_\_\_ at (time): \_\_\_\_\_

- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (**Attach signed return receipt or other evidence of actual receipt by the person served**).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (**Attach signed return receipt or other evidence of actual receipt by the person served**).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (*name, address and telephone number*):

Jimmy Lizama  
One Legal, LLC - 132-Marin  
504 Redwood Blvd #223  
Novato, CA 94947  
Phone: 415-491-0606

a. Fee for service: \$ 44.00

b. ☐ Not a registered California process server

c. ☐ Exempt from registration under B&P 22350(b)

d. ☒ Registered California process server

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 12.14.2007

(Signature)

BY FAX

**Attached List**

**Complaint,  
Consent to Join MATTHEW SCHEID,  
Consent to Join MELTON MCCLANAHAN, JR,  
Welcome To The U.S. District Court, San Francisco,  
ECF Registration Information Handout,  
Notice Of Availability Of Magistrate Judge,  
Consent To Proceed Before U.S. Magistrate Judge,  
Order Setting Initial Case Management Conference and ADR Deadlines,  
Judge Breyer's Standing Order,  
Contents fo Joint Case Management Statement,  
Summons**

*BY FAX*

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Joseph E. Jaramillo, 178566 GOLDSTEIN DEMCHAK BALLER BORGAN AND DARDARIAN 300 LAKESIDE DR STE 1000		TELEPHONE NO.: (510) 763-9800	FOR COURT USE ONLY
ATTORNEY FOR (Name): Plaintiff		Ref. No. or Fil. No. 406	
Insert name of court, judicial district or branch court, if any:  United States District Court 450 Golden Gate Avenue San Francisco, CA 94102-3483			
PLAINTIFF:  SCHEID, et al			
DEFENDANT:  FREMONT GENERAL CORPORATION, et al			
PROOF OF SERVICE BY MAIL			CASE NUMBER: 07-06063

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 504 Redwood Blvd #223, Novato, CA 94947.

On December 13, 2007, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

Complaint, Consent to Join MATTHEW SCHEID, Consent to Join MELTON MCCLANAHAN, JR, Welcome To The U.S. District Court, San Francisco, ECF Registration Information Handout, Notice Of Availability Of Magistrate Judge, Consent To Proceed Before U.S. Magistrate Judge, Order Setting Initial Case Management Conference and ADR Deadlines, Judge Breyer's Standing Order, Contents fo Joint Case Management Statement, Summons

to the person to be served at the place where the copies were left by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Los Angeles, CA, California, addressed as follows:

Fremont General Corporation, a Corporation  
Alan W. Faigin  
2425 Olympic Blvd 3rd FL  
Santa Monica, CA 90404

**BY FAX**

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

\$ 44.00

Solomon Rodriguez  
One Legal, Inc.  
504 Redwood Blvd #223  
Novato, CA 94947

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on December 13, 2007 at Los Angeles, California.

  
Solomon Rodriguez

FF# 6653138